

JAN. 18. 2006 3:03PM
TO: USPTO

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NO. 9267 P. 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

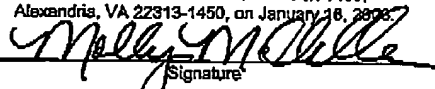
CORRECTED APPLICATION PAPERS TRANSMITTAL

In re Application of: NICHOLS
For: METHOD AND APPARATUS TO SECURE DATA TRANSFER FROM MEDICAL DEVICE
SYSTEMS
Serial No.: 09/431,881
Filed: 11/02/1999
Docket No.: P8560.00

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JAN 18 2006

CERTIFICATE UNDER 37 CFR 51.8 I hereby certify that the paper(s)
(7 total) as described herein are being sent to telefacsimile No. (571) 273-8300,
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on January 18, 2006.


Signature
MOLLY MCCLELLAN
Printed Name

COMMISSIONER FOR PATENTS
P.O. BO 1450
ALEXANDRIA VA 22313-1450

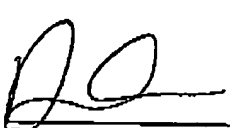
Sir,

We are transmitting herewith the attached:

- X Response to Notice to File Corrected Application Papers (Notice of Allowance Mailed);
 - X Amendment in Response to Notice to File Corrected Application Papers (Notice of Allowance Mailed);
 - X Copy of Notice to File Corrected Application Papers
 - X Return Postcard
-
- X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.
 - X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Missing Parts Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

1/18/06


Daniel G. Chapik
Reg. No. 43,424
Telephone: (763) 514-3066
Customer No. 27581

JAN 18 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**PATENT**

Applicant: Timothy J. Nichols Examiner: M. Smithers
Serial No.: 09/431,881 Group Art Unit: 2137
Filed: November 2, 1999 Docket: P8560.00
Title: METHOD AND APPARATUS TO SECURE DATA TRANSFER
FROM MEDICAL DEVICE SYSTEMS

**RESPONSE TO NOTICE TO FILE CORRECTED
APPLICATION PAPERS (Notice of Allowance Mailed)**

COMMISSIONER FOR PATENTS
P.O. BO 1450
ALEXANDRIA VA 22313-1450

Sir:

This is in response to the Notice to File Corrected Application Papers dated December 19, 2005. Please find enclosed the following documents to complete the filing requirements for the above-identified application:

1. Amendment In Response to Notice to File Corrected Application Papers (Notice of Allowance Mailed);
2. Copy of Notice to File Corrected Application Papers.

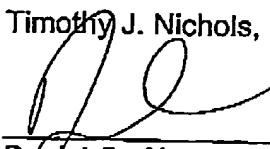
No fee is believed to be due. However, if a fee is due, the Commissioner is authorized to charge this fee, as well as any deficiencies, and credit any overpayments, to Deposit Account No. 13-2546.

Respectfully submitted,

Timothy J. Nichols,

Date

1/18/06


Daniel G. Chapik
Reg. No. 43,424
(763) 514-3066
Customer No. 27581

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
09431881

Date Mailed
12/19/05

NOTICE TO FILE CORRECTED APPLICATION PAPERS***Notice of Allowance Mailed***


This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ Specification page 9, serial numbers missing on lines 14, 16, 18, 20 and 22.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice **MUST** be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450


Rori Burch
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Publishing Division
Fax (703) 746-6830
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JAN 18 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Timothy J. Nichols	Examiner:	M. Smithers
Serial No.:	09/431,881	Group Art Unit:	2137
Filed:	November 2, 1999	Docket:	P8560.00
Title:	METHOD AND APPARATUS TO SECURE DATA TRANSFER FROM MEDICAL DEVICE SYSTEMS		

**AMENDMENT IN RESPONSE TO NOTICE TO FILE CORRECTED
APPLICATION PAPERS (Notice of Allowance Mailed)**

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Notice to File Corrected Application Papers (Notice of Allowance Mailed), mailed December 19, 2005, having a one-month statutory period for response set to expire on January 19, 2005.

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Reply to Notice of December 19, 2005
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IN THE SPECIFICATION

Please replace the paragraph beginning at page 8, line 16, and ending at page 9, line 22, with the following:

A further limitation of the prior art relates to the management of multiple implantable devices in a single patient. Advances in modern patient therapy and treatment have made it possible to implant a number of devices in a patient. For example, implantable devices such as a defibrillator or a pacemaker, a neural implant, a drug pump, a separate physiologic monitor and various other implantable devices may be implanted in a single patient. To successfully manage the operations and assess the performance of each device in a patient with multi-implants requires a continuous update and monitoring of the devices. Further, it may be preferred to have an operable communication between the various implants to provide a coordinated clinical therapy to the patient. Thus, there is a need to monitor the performance of the implantable devices on a regular, if not a continuous, basis to ensure optimal patient care. In the absence of other alternatives, this imposes a great burden on the patient if a hospital or clinic is the only center where the necessary frequent follow up, evaluation and adjustment of the medical devices could be made. Moreover, even if feasible the situation would require the establishment of multiple service areas or clinic centers to provide adequate service to the burgeoning number of multi implant patients worldwide. Accordingly, it is vital to have a programmer unit that would connect to a remote expert medical center to provide access to expert systems and import the expertise to a local environment. This approach would enable unencumbered access to the IMD or the patient. Further, the

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proliferation of patients with multi-implant medical devices worldwide has made it imperative to provide remote services. Thus, frequent use of programmers to communicate with the IMD and provide various remote services, have become an important aspect of patient care as indicated in the disclosures contained in co-pending applications titled "Apparatus and Method for Remote Troubleshooting, Maintenance and Upgrade of Implantable Device Systems," filed on October 26, 1999, Ser. No. _____; 09/426,741, now U.S. Pat. No. 6,442,433; "Tactile Feedback for Indicating Validity of Communication Link with an Implantable Medical Device," filed October 29, 1999, Ser. No. _____; 09/430,708, now U.S. Pat. No. 6,644,321; "Apparatus and Method for Automated Invoicing of Medical Device Systems," filed October 29, 1999, Ser. No. _____; 09/430,208, now U.S. Pat. No. 6,385,593; "Apparatus and Method for Remote Self-Identification of Components in Medical Device Systems," filed October 29, 1999, Ser. No. _____; 09/429,956, now abandoned; and "Apparatus and Method to Automate Remote Software Updates of Medical Device Systems," filed October 29, 1999, Ser. No. _____; 09/429,960, now U.S. Pat. No. 6,363,282, which are all incorporated by reference herein in their entirety.

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REMARKS

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to these matters.

Respectfully submitted,

Date: _____

1/18/06



Daniel G. Chapik
Reg. 43,424
Telephone: (763) 514-3066
Customer No. 27581